IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 23427 of 2004

Between:

1 Reddy Narasimha Rao, S/o.Venkaiah,
R/o.H.I.G.H.-45,IIIrd Phase, K.P.H.B.Kukatpally, Hyderabad.
2 Reddy Seetha Mahalakshmi, W/o.Narasimha Rao,
R/o.H.I.G.H.-45,IIIrd Phase, K.P.H.B.Kukatpally, Hyderabad.

... PETITIONERS

AND

1 The Dy.Superintendent of police, Tenali, Guntur District.
2 The Sub-Inspector of police, III Town Police Station, Tenali, Guntur District.
3 Malladi Sowri Babu S/o.Innaiah, Alapati Nagar Near Jaibaba Temple, Tenali,

Guntur District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any order or direction or a writ more particularly a writ in the nature of mandamus directing the respondents herein not to harass the petitioners and their family members to interrogate under the guise of Crime No.217/2004 on the file of the III Town police station, Tenali by declaring the action of the respondents 1 & 2 in interrogating the petitioners without any crime is illegal, arbitrary and without jurisdiction.

Counsel for the Petitioners: MR.G.DHARMA RAO

Counsel for the Respondents 1 & 2: GP FOR HOME

Counsel for the Respondent No.3: ---NONE APPEARED---

The Court made the following order:

ORDER:

Petitioners question the action of the respondents 1 and 2 in harassing them and their family members under the guise of investigation in Cr.No.217 of 2004 on the file of the III Town Police Station, Tenali.

It is submitted that the third respondent lodged a complaint on 01.11.2004 before the second respondent and on the said complaint a case in Cr.No.217 of 2004 was registered under Sections 342, 448 and 384 read with 34 IPC of Tenali III Town Police Station on 01.11.2004 and investigation was taken up. So far no arrests have been made and the investigation is under progress. The accused are yet to be arrested. The first petitioner was shown as Accused No.2 in the said crime and one Mr. Reddy Hari Krishna, the main accused in the said crime, is the son of the petitioners.

The allegation of the petitioners that at the instance of the third respondent the police are frequently visiting their house at Kukatpally and taking the first petitioner to Tenali and harassing him are all denied in the counter filed by the respondents 1 and 2. It is stated that they have never visited the house of the petitioners and harassed the first petitioner on 20.11.2004, 25.11.2004 and 01.12.2004 as alleged by the petitioners.

In view of the categorical denial of all the allegations of the petitioners by the respondents, I do not see any merits in the writ petition and the writ petition is accordingly dismissed with a

direction to the respondents to complete the investigation in accordance with law as expeditiously as possible. No costs.

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V. ESWARAIAH, J

April 26, 2005

Dsk

To

1 The Dy.Superintendent of police, Tenali, Guntur District.
2 The Sub-Inspector of police, III Town Police Station, Tenali, Guntur District.

3 Two CCs to GP For Home, High Court Buildings, Hyderabad (OUT)

Two CD Copies.